

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
UNITED STATES OF AMERICA,

-against-

MUSTAFA KAMEL MOSTAFA,  
a/k/a "Abu Hamza al-Masri,"

Defendant.

ANALISA TORRES, District Judge:

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
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04 Cr. 356-1 (AT)

**ORDER**

On October 5, 2020, Defendant *pro se* filed a motion pursuant to 28 U.S.C. § 2255. ECF No. 571. On October 7, 2020, the Court held the motion in abeyance until the appeal of Defendant's *pro se* Rule 33 motion became final. ECF No. 573. On October 4, 2022, Defendant's counsel advised the Court that Defendant's Rule 33 appeal remained pending as he sought to file a petition for certiorari to the United States Supreme Court. ECF No. 604. Accordingly, the Court continued to hold Defendant's motion in abeyance. ECF No. 605.

On August 18, 2023, Defendant *pro se* filed an additional motion pursuant to 28 U.S.C. § 2255. ECF No. 607.

By **September 8, 2023**, the parties are directed to file a joint letter informing the Court as to the status of Defendant's anticipated petition for certiorari and as to their plan to proceed with Defendant's 28 U.S.C. § 2255 motions, ECF No. 571, 607.

The Clerk of Court is directed to mail a copy of this order to Defendant.

SO ORDERED.

Dated: August 23, 2023  
New York, New York



ANALISA TORRES  
United States District Judge